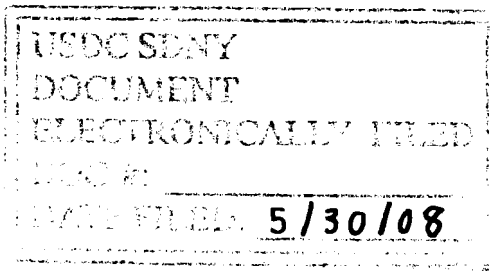


Greenberg Traurig

Jerrold Goldberg
212.801.9209
goldbergj@gtlaw.com



MAY 29

May 29, 2008

BY HAND

Honorable Richard M. Berman
United States District Judge
United States Courthouse
500 Pearl Street, Room 650
New York, New York 10007-1581

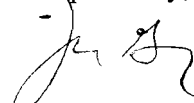
MEMO ENDORSED

**Re: Foster v. Hard Rock Café International (USA) Inc.
Case No. 07 Civ. 11559 (RMB)**

Dear Judge Berman:

We are the attorneys for the defendant in the above matter. Following the conference in February 2008, and after initial disclosures, the parties agreed to submit the dispute to private mediation before JAMS, specifically mediator Margaret Shaw, and to refrain from pursuing discovery so that all efforts and expense could be directed toward settlement. Unfortunately we had difficulty arriving at a mutually agreeable date, and the date we had set in May had to be postponed. We have confirmed a new date of July 31, 2008. Given that the Case Management Plan has discovery closing on June 13, 2008 with a settlement conference scheduled for June 16, this is to request that the discovery cutoff be extended to August 31, 2008, with a settlement conference in early September. Counsel for the plaintiff consents to this request.

Respectfully,


Jerrold Goldberg

cc: Louis Ginsberg, Esq. (via email)

*Application Granted. Settlement
conference with principals
on 9/3/08 @ 9:00 A.M.*

SO ORDERED:

Date: 5/31/08


Richard M. Berman, U.S.D.J.

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